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PTO/SB/01 (12-97)

Approved for use through 9/30/00. OMB 0651-0032
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)	Attorney Docket Number	TEPH 102
	First Named Inventor	Simon F. Williams
	COMPLETE IF KNOWN	
	Application Number	09 / 661,773
	Filing Date	September 14, 2000
	Group Art Unit	
<input type="checkbox"/> Declaration Submitted with Initial Filing	OR	<input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)
Examiner Name		

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

POLYHYDROXYALKANOATE COMPOSITIONS FOR SOFT TISSUE REPAIR, AUGMENTATION, AND VISCOSUPPLEMENTATION

the specification of which
☐ is attached hereto
OR
☒ was filed on (MM/DD/YYYY) 09/14/2000 as United States Application Number or PCT International

Application Number 09/661,773 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
60/153,810	09/14/1999	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

TEPH 102

13794/5

Filed: September 14, 2000

POLYHYDROXYALKANOATE COMPOSITIONS FOR SOFT TISSUE REPAIR,
AUGMENTATION, AND VISCOSUPPLEMENTATION

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DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below

Place Customer
Number Bar Code
Label here

Name	Registration Number	Name	Registration Number
Patrea L. Pabst	31,284		
Robert A. Hodges	41,074		
Kevin W. King	42,737		

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number or Bar Code Label

OR ☒ Correspondence address below

Name	Patrea L. Pabst				
Address	Arnall Golden & Gregory, LLP				
Address	2800 One Atlantic Center, 1201 West Peachtree Street				
City	Atlanta	State	GA	ZIP	30309-3450
Country	United States	Telephone	(404)873-8794	Fax	(404)873-8795

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

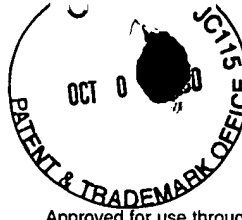
☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))		Family Name or Surname	
Simon F.		Williams	
Inventor's Signature			Date
Residence: City	Sherborn	State	MA
Country	US	Citizenship	UK
Post Office Address	28 Deerfield Road		
Post Office Address			
City	Sherborn	State	MA
ZIP	01770	Country	US

☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

Filed: September 14, 2000

POLYHYDROXYALKANOATE COMPOSITIONS FOR SOFT TISSUE REPAIR,
AUGMENTATION, AND VISCOSUPPLEMENTATION



PTO/SB/02A (3-97)

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DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 1 of 1

Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
David P.				Martin			
Inventor's Signature				Date	9/22/00		
Residence: City	Arlington	State	MA	Country	US	Citizenship	US
Post Office Address	33 Hemlock Street						
Post Office Address							
City	Arlington	State	MA	ZIP	02474	Country	US
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature				Date			
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature				Date			
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

TEPH 102

13794/5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Simon F. Williams and David P. Martin

Serial No.: 09/661,773

Group Art Unit: Not yet assigned

Filed: September 14, 2000

Examiner: Not yet assigned

For: POLYHYDROXYALKANOATE COMPOSITIONS FOR SOFT TISSUE
REPAIR, AUGMENTATION, AND VISCOSUPPLEMENTATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

**TRANSMITTAL OF DECLARATION OF INVENTORSHIP,
STATEMENT CLAIMING SMALL ENTITY STATUS,
STATEMENT UNDER 37 C.F.R. § 3.73(b), AND REQUEST FOR REFUND**

Sir:

Applicants enclose the following for filing in the above-identified application:

1. Declaration of Inventorship executed by Simon F. Williams and David P. Martin;
2. Statement Claiming Small Entity Status (37 C.F.R. §§ 1.9(f) and 1.27(c) --- Small Business Concern) executed by Tepha, Inc.;
3. Statement Under 37 C.F.R. § 3.73(b) executed by Tepha, Inc., with attached copy of the executed Assignment from Simon F. Williams and David P. Martin to Tepha, Inc.; and
4. Check in the amount of \$65.00 for the small entity surcharge for late filing the Declaration of Inventorship.

Applicants respectfully request a 50% refund of the \$1,062.00 filing fee in the application, a total of \$531.00, pursuant to 37 C.F.R. § 1.28.

RECEIPT ACCOUNTING
DIVISION
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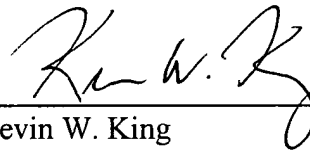
05/05/JCWS

ALCO Sector ~~Ref~~ RM 307

U.S.S.N.: 09/661,773
Filed: September 14, 2000
**TRANSMITTAL OF DECLARATION OF INVENTORSHIP,
STATEMENT CLAIMING SMALL ENTITY STATUS,
STATEMENT UNDER 37 C.F.R. § 3.73(b),
AND REQUEST FOR REFUND**

Please charge any other fees due, or credit any overpayment, in connection with this matter to Deposit Account No. 01-2507. A duplicate of this transmittal is enclosed to facilitate this process.

Respectfully submitted,



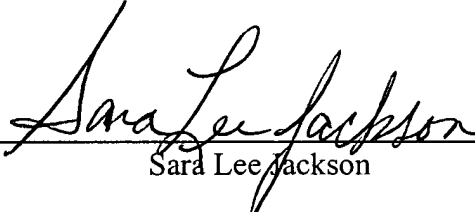
Kevin W. King
Reg. No. 42,737

Date: September 29, 2000

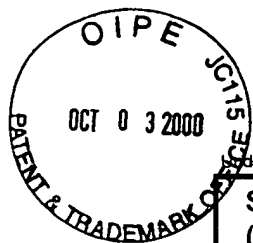
ARNALL GOLDEN & GREGORY, LLP
2800 One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3450
404-873-8596
404-873-8597 (fax)

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this Transmittal of Declaration of Inventorship, Statement Claiming Small Entity Status, Statement Under 37 C.F.R. § 3.73(b), and Request for Refund, together with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.


Sara Lee Jackson

Date: September 29, 2000



STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN

Docket Number (Optional)
TEPH 102

Applicant, Patentee, or Identifier: Simon F. Williams and David P. Martin
Application or Patent No.: 09/661,773
Filed or Issued: September 14, 2000
Title: POLYHYDROXYALKANOATE COMPOSITIONS FOR SOFT TISSUE REPAIR,
AUGMENTATION, AND VISCOSUPPLEMENTATION

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Tepha, Inc.

ADDRESS OF SMALL BUSINESS CONCERN 303 Third Street, 2nd Floor
Cambridge, Massachusetts 02142-1196

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING SIMON F WILLIAMS

TITLE OF PERSON IF OTHER THAN OWNER PRESIDENT

ADDRESS OF PERSON SIGNING 28 DEERFIELD RD, SHERRBORN, MA 01770

SIGNATURE Simon F. Williams DATE September 22, 2000